

ORDINANCE 2006-01

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,
STATE OF NEW JERSEY, TO AMEND AND SUPPLEMENT THE LAND
DEVELOPMENT REGULATIONS OF THE TOWNSHIP OF CHATHAM TO
INCORPORATE NONSTRUCTURAL BEST MANAGEMENT PRACTICES FOR
STORMWATER CONTROL AS REQUIRED BY THE NEW JERSEY DEPARTMENT
OF ENVIRONMENTAL PROTECTION**

WHEREAS, the New Jersey Department of Environmental Protection has adopted Stormwater Management Regulations on March 3, 2004, as are set forth in N.J.A.C. 7:8-1 et seq; and

WHEREAS, said regulations require every municipality in the State of New Jersey to develop a Stormwater Management Plan and to further adopt ordinances implementing Best Management Practices for stormwater management in each municipality; and

WHEREAS, the New Jersey Department of Environmental Protection Regulations require municipalities to incorporate Nonstructural Best Management Practices as part of any Stormwater Management Plan and Ordinance; and

WHEREAS, the Township of Chatham wishes to adopt the Ordinances as required by NJDEP;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Chatham as follows:

Section 1.

Chapter XXX of the Code of the Township of Chatham is hereby amended to add the following subsections in the Subdivision and Site Plan Design Standards sections as follows:

30-64.1k. *Nonstructural Stormwater Management Best Management Practices.* Notwithstanding any other provision of this ordinance to the contrary, the Township hereby adopts and incorporates herein by reference the current nonstructural stormwater management strategies as the same may be amended and supplemented from time to time and as are set forth in N.J.A.C. 7:8-1 et seq. The applicant shall compare current nonstructural stormwater management practices as set forth in the aforesaid regulation to the standards set forth in this ordinance. In the event of any conflict between the provisions of this ordinance and the current nonstructural stormwater management regulations, the more stringent of the provisions or regulations shall be controlling. Except as provided herein, the approving board shall only approve developments which comply with the

provisions of N.J.A.C. 7:8-1 et seq. as amended to the maximum extent feasible considering the constraints of the specific development project. Any Township regulation that is less stringent than said regulations shall be superseded by the provisions of N.J.A.C. 7:8-1 et seq. as amended.

30-64.2u. *Nonstructural Stormwater Management Best Management Practices.* Notwithstanding any other provision of this ordinance to the contrary, the Township hereby adopts and incorporates herein by reference the current nonstructural stormwater management strategies as the same may be amended and supplemented from time to time and as are set forth in N.J.A.C. 7:8-1 et seq. The applicant shall compare current nonstructural stormwater management practices as set forth in the aforesaid regulation to the standards set forth in this ordinance. In the event of any conflict between the provisions of this ordinance and the current nonstructural stormwater management regulations, the more stringent of the provisions or regulations shall be controlling. Except as provided herein, the approving board shall only approve developments which comply with the provisions of N.J.A.C. 7:8-1 et seq. as amended to the maximum extent feasible considering the constraints of the specific development project. Any Township regulation that is less stringent than said regulations shall be superseded by the provisions of N.J.A.C. 7:8-1 et seq. as amended.

Section 2.

This Ordinance shall take effect in accordance with law.

Introduced: February 9, 2006
Adopted: February 23, 2006
Attest:

TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

BY: _____
William P. O'Connor, Mayor

Noreen Morris, Deputy Clerk